

BOARD OF ELECTIONS

Darry Hicks, Chairman
Addison Lester
Aaron Wright

FAYETTE COUNTY, GEORGIA

Floyd L Jones, Director
April Crosby, Elections Supervisor
Brian Hill, County Registrar



140 Stonewall Avenue West
Elections Office, Suite 208
Fayetteville, GA 30214

MINUTES

March 23, 2020
6:00 p.m.

Welcome to the meeting of your Fayette County Board of Elections. Your participation is appreciated. All regularly scheduled Board meetings are open to the public and are generally held on the 4th Tuesday of each month at 5:00 p.m.

Chairman to Call the Meeting to Order

Chairman Hicks called the March 23, 2020 Board of Elections Meeting to order at 6:00 p.m.

Approval of the Agenda

Mr. Lester moved to approve the Agenda. Mr. Wright seconded the Agenda. The motion passed 3-0.

Approval of Minutes:

1. Approval of the February 25, 2020 Board of Elections Meeting Minutes.

Mr. Lester moved to approve the February 25, 2020 Board of Elections Meeting Minutes. Mr. Wright seconded the motion. The motion passed 3-0.

Hearing:

2. Conduct Hearing by the Board of Elections concerning a challenge raised by Jamie K. Inagawa concerning the qualifications of candidacy of Audrey Holliday for the office of Fayette County Solicitor General.

Chairman Hicks explained the nature of hearing, gave a brief overview of the challenges presented by Mr. Inagawa, and informed Ms. Audrey Holliday and Mr. Rick Lindsey (who was representing Mr. James Inagawa) of how the hearing would proceed. Chairman Hicks then opened the floor for Ms. Holliday to give her presentation.

Ms. Holliday's case was that the law providing the qualification guidelines was set by the Georgia General Assembly. She acknowledged that there had been a local act in Fayette County in 1994 that provided a one-year residency requirement, but that the Georgia General Assembly has revisited the law after 1994 and did not provide any residency requirements at that time either. She stated that the local act was in violation of the law passed by the Georgia General Assembly and therefore was not able to be used as a reason to disqualify her candidacy. Ms. Holliday also suggested that the Governor could swear her into office several weeks into Calendar Year 2021 and, therefore, she will have been a legal resident of Fayette County for one year upon taking office. She provided her findings to the Board for consideration and entered into the record.

Mr. Lindsey's case was that the law was settled, that the local act supplements the law enacted by the Georgia General Assembly, and that the Declaration of Candidacy and Affidavit filed by Ms. Holliday and signed in front of a Notary Public states that Ms.

Holliday has been a resident of Fayette County for only one month. He stated that the duty of the Board of Elections is not to interpret how the law was constructed but rather to determine if the requirements of the law had been met.

Ms. Holliday stated she did not have any further information to provide and that she respected the process as necessary.

Copies of the request, Ms. Holliday's records, and Mr. Lindsey's records, identified as "Attachment 1," follow these minutes and are made official parts hereof.

EXECUTIVE SESSION:

Mr. Lester moved to recess into Executive Session to discuss Pending Litigation. Mr. Wright seconded the motion. The motion passed 3-0.

The Board recessed into Executive Session at 6:37 p.m. and returned to the Public Meeting Room at 7:09 p.m.

Mr. Lester moved to exit Executive Session. Mr. Wright seconded the motion. The motion passed 3-0. The Board returned to Official Session at 7:09 p.m.

Hearing (continued):

Mr. Wright moved to withhold Audrey Holliday's name from the May 19, 2020 ballot as a candidate for the Solicitor General of the State Court. Mr. Lester seconded the motion. The motion passed 3-0.

Chairman Hicks explained that the Board's decision was based on the beginning date of the term of office, which is January 1, 2021, and therefore she would not have met the residency requirements. Chairman Hicks informed Ms. Holliday that she has a right to appeal.

Chairman Hicks also informed the Board that its next meeting would be held on Friday, March 27, 2020 at 10:00 a.m.

DIRECTOR'S REPORT:

Next Meeting: Director Jones informed the Board that the next Board of Elections meeting had been already scheduled for March 27, 2020 at 6:00 p.m., but now it had been changed for the same date at 10:00 a.m.

Canceled County Retreat: Director Jones informed the Board that the Board of Commissioners Annual Retreat had been cancelled due to the pandemic. He suspected that the individual departments would be contacted to talk to Administration or the Commissioners on an as-needed basis, but he was uncertain of those details.

Budget Concerns: Director Jones stated that there are concerns with the budget especially given the postponement of the March 24, 2020 Presidential Preference Primary and the combination of said primary with the General Primary. An example he gave concerned a new State Election Board rule that requires ten percent (10%) of Emergency ballots be printed based on the number of voters assigned in each of the 36 precincts. He said that requirement made him print over \$13,000 in Emergency ballots only to see those ballots become useless once the March 24, 2020 Election was canceled. He reported that the costs were unbudgeted since at the time of the budget the rule did not exist. He said he had heard that Clayton County had spent over \$20,000 on Emergency ballots that are no longer able to be used. He reported that the ballots would now have to be reprinted and prepared for the May 19, 2020 Election. He reminded the Board that at the 2019 Board of Commissioners Retreat he stated that the Elections Budget could be defined as a large question mark since there would be unknown and unpredictable expenses with the new equipment and laws. He concluded that this was a prime example of the unpredictable budget.

County Registrar and Additional Election Positions: Director Jones reported that he had interviewed about six or seven applicants for the role of County Registrar. Three of the applicants have Elections experience but two want to start at a higher salary than the county's beginning salary. He further mentioned that when the County Registrar was hired two years ago, the Board wanted to meet the applicants before someone was chosen. He asked for the Board's direction. The Board stated they would like to meet the applicants prior to one being hired. Additional discussion followed on the need to raise the Elections Clerk's position from part time to full time and for the need to hire an Elections Technician.

ATTORNEY'S REPORTS:

There was no Attorney's Report.

BOARD MEMBERS REPORTS:

There were no Board Member Reports.

ADJOURNMENT:

Mr. Lester moved to adjourn the March 23, 2020 Board of Elections Meeting. Mr. Wright seconded the motion. The motion passed 3-0.

The March 23, 2020 Board of Elections Meeting adjourned at 7:28 p.m.

Floyd L. Jones, Director

Darryl Hicks, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Elections of Fayette County, Georgia, held on the 27th day of March 2020. Referenced attachments are available upon request in the Board of Elections' Office.

Floyd L. Jones, Director